

MESSAGE NO: 7145311 MESSAGE DATE: 05/25/2017

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-968

EFFECTIVE DATE: 09/07/2010 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Countervailing duty scope determination on aluminum extrusions from the People's Republic of China (C-570-968)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from Ferguson Enterprises, Inc. Commerce issued a final scope determination on 05/10/2017 that Ferguson Enterprises, Inc.'s air duct diffusers and registers which Ferguson Enterprises, Inc. imports are not within the scope of the countervailing duty order on aluminum extrusions from the People's Republic of China (C-570-968).

2. Commerce determined that Ferguson Enterprises, Inc.'s air duct diffusers and registers are outside the scope of the order because they are "finished merchandise" excluded from the order. Therefore, Ferguson Enterprises, Inc.'s air duct diffusers and registers are not within the scope of the countervailing duty order on aluminum extrusions from the People's Republic of China. Ferguson Enterprises Inc.'s air duct diffusers and registers excluded from the order include:

Air Duct Diffusers:

The air duct diffusers are a fully finished product which contain aluminum 6063 parts, a faceplate frame, a faceplate blade, and a damper box. In addition, the diffuser contains blades made of ABS structural steel, a lever made of SPCC cold rolled steel, and stainless steel shrapnel.

- 3 Way Ceil Diffuser, Product Number PSA3W
- 4 Way Ceil Diffuser, Product Number PSA4W

Registers:

The registers are a fully finished product which contain faceplate blades made of extruded aluminum 6063, a faceplate frame made of aluminum lamellar 1050, a damper box, steel blades and a lever made of SPCC cold rolled steel, and brass rivets.

- 1 Way Curved Sidewall Ceiling Register, Product Number PSA1CW
- 2 Way Curved Sidewall Ceiling Register, Product Number PSA2CW
- 3 Way Curved Sidewall Ceiling Register, Product Number PSA3CW
- 4 Way Curved Sidewall Ceiling Register, Product Number PSA4CW
- Sidewall Register, Product Number PSAASW

3. For all entries of Ferguson Enterprises, Inc.'s air duct diffusers and registers not within scope that remain unliquidated on or after 09/07/2010, CBP shall terminate suspension and liquidate entries of product not within scope which were entered, or withdrawn from warehouse, for consumption.

4. Refund any cash deposits relating to the air duct diffusers and registers described above.

5. These instructions constitute notice of the lifting of suspension of liquidation of entries of air duct diffusers and registers entered, or withdrawn from warehouse, for consumption on or after 09/07/2010.

6. The assessment of countervailing duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated countervailing duties. The interest provisions are not applicable to cash or bonds posted as estimated countervailing duties before the date of publication of the countervailing duty order. Interest shall be calculated from the date payment of estimated countervailing duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of aluminum extrusions from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated countervailing duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OVI:MJH.)

9. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party